

SECOND REGULAR SESSION

# HOUSE BILL NO. 1704

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BOWMAN, THOMPSON, HILGEMANN, SHELTON,  
GAMBARO, BOYKINS, WALTON (Co-sponsors), BLAND, HAYWOOD,  
CARNAHAN AND JOHNSON (61).

Read 1<sup>st</sup> time January 30, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3259L.01I

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### AN ACT

To amend chapter 135, RSMo, by adding thereto two new sections relating to tax credits for donations to public schools.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 135, RSMo, is amended by adding thereto two new sections, to be  
2 known as sections 135.800 and 135.801, to read as follows:

135.800. 1. For tax years beginning on or after January 1, 2002, but before  
2 January 1, 2006, a business firm, as defined in section 32.105, RSMo, which makes a  
3 donation of high technology equipment to a public school district shall receive a credit  
4 against the tax otherwise due pursuant to chapter 143, 147, or 148, RSMo, other than taxes  
5 withheld pursuant to sections 143.191 to 143.265, RSMo, in an amount equal to fifty  
6 percent of the value of the donation. The amount of the tax credit shall be increased from  
7 fifty percent to seventy-five percent for donations to public school districts with a high  
8 percentage of high-risk students. The credit shall be applied to the taxpayer's tax liability  
9 for the tax year in which the donation was made after all other credits provided by law  
10 have been applied. The tax credit authorized by this section is not refundable, may not be  
11 carried back or forward to another tax year, and is not transferrable. No taxpayer may  
12 receive a tax credit greater than five thousand dollars per tax year pursuant to this section.  
13 The total amount of tax credits authorized by this section shall not exceed five million  
14 dollars.

15 2. The department of elementary and secondary education shall promulgate all  
16 rules and regulations necessary to implement the credit authorized by this section,  
17 including regulations defining the phrases "high technology equipment" and "public

18 school districts with a high percentage of high-risk students", and regulations which devise  
19 a method for valuation of donations. No rule or portion of a rule promulgated pursuant  
20 to the authority of this section shall become effective unless it has been promulgated  
21 pursuant to chapter 536, RSMo.

135.801. 1. For tax years beginning on or after January 1, 2002, but before  
2 January 1, 2006, a business firm, as defined in section 32.105, RSMo, which makes a cash  
3 donation to a public school district library to fund the purchase of books, materials,  
4 computers, internet services, and equipments, and to otherwise keep such library updated,  
5 shall receive a credit against the tax otherwise due pursuant to chapter 143, 147, or 148,  
6 RSMo, other than taxes withheld pursuant to sections 143.191 to 143.265, RSMo, in an  
7 amount equal to the lesser of fifty percent of the donation or five thousand dollars. The  
8 credit shall be applied to the taxpayer's tax liability for the tax year in which the donation  
9 was made after all other credits provided by law have been applied. The tax credit  
10 authorized by this section is not refundable, may not be carried back or forward to another  
11 tax year, and is not transferrable. The total amount of tax credits authorized by this  
12 section shall not exceed five million dollars.

13 2. The department of elementary and secondary education shall promulgate all  
14 rules and regulations necessary to implement the credit authorized by this section. No rule  
15 or portion of a rule promulgated pursuant to the authority of this section shall become  
16 effective unless it has been promulgated pursuant to chapter 536, RSMo.